

MALLOY & MALLOY, P.A.

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

English Language Division

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

# RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY

the specification of which

(check one)

X is attached hereto

was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority  
Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national PCT International filing date of this application:

10/371,028  
09/867,338  
09/195,965

February 20, 2003  
May 29, 2001  
November 19, 1998

pending  
patented  
patented

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

08/958,111  
60/029,573

October 27, 1997  
October 28, 1996

abandoned  
abandoned

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

James E. Wetterling - Reg. No. 31,440  
Peter A. Matos - Reg. No. 37,884  
John Fulton, Jr. - Reg. No. 46,716

Jennie S. Malloy - Reg. No. 37,670  
John Cyril Malloy - Reg. No. 19,531

Send correspondence to: **MALLOY & MALLOY, P.A.**  
2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129

Direct telephone calls to: (305) 858-8000

Full name of sole or first inventor  
**HUMBERTO DEBIEN**

Inventor's signature



Date

2/24/04

Residence (City, State)  
Jupiter, Florida

Citizenship (Country)  
US

Post Office Address (complete mailing address)  
9218 Whippoorwill Trail

Jupiter, Florida 33478

Full name of second joint inventor, if any

Inventor's signature

Date

Residence (City, State)

Citizenship (Country)

Post Office Address (complete mailing address)

(Supply similar information and signature for third and subsequent joint inventors.)

## INDEPENDENT INVENTOR - SMALL ENTITY STATUS

Applicant(s) or Patentee(s): HUMBERTO DEBIEN

Serial or Patent No.: \_\_\_\_\_

Attorney's  
Docket No.: 1.030-B.04

Filed or Issued: \_\_\_\_\_

For: RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLYVERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled,

RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY  
described in

☒ the specification filed herewith.

☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern or organization

☒ person, concerns, or organization listed below

\*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME BERTON, INC. DEBIEN PRODUCTS, INC.ADDRESS 9218 Whippoorwill Trail, Jupiter, Florida 33478

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statement were made with the under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR  
HUMBERTO DEBIEN

NAME OF INVENTOR

NAME OF INVENTOR

Signature of Inventor

Signature of Inventor

Signature of Inventor

Date

Date

Date

2/24/042/24/04

SMALL BUSINESS CONCERN - SMALL ENTITY STATUS

Applicant or Patentee: HUMBERTO DEBIEN Attorney's  
 Serial or Patent No.: \_\_\_\_\_ Docket No.: 1.030-B.04  
 Filed or Issued: \_\_\_\_\_  
 For: RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN DEBIEN PRODUCTS, INC.  
 ADDRESS OF CONCERN 9218 Whippoorwill Trail  
Jupiter, Florida 33478

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY by inventor(s) \_\_\_\_\_ described in:

- ☐ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which could not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME BERTCON, INC.  
 ADDRESS 9218 Whippoorwill Trail, Jupiter, Florida 33478  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Humberto de Bien  
 TITLE OF PERSON OTHER THAN OWNER President  
 ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE Humberto de Bien DATE 2/24/04

Applicant or Patentee: HUMBERTO DEBIEN Attorney's  
 Serial or Patent No.: \_\_\_\_\_ Docket No.: 1.030-B.04  
 Filed or Issued: \_\_\_\_\_  
 For: RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN BERTCON, INC.  
 ADDRESS OF CONCERN 9218 Whippoorwill Trail  
Jupiter, Florida 33478

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled RETRACTABLE LEASH ASSEMBLY WITH A QUICK CONNECT COUPLING ASSEMBLY by inventor(s) \_\_\_\_\_ described in:

- ☐ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which could not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Humberto de Bien  
 TITLE OF PERSON OTHER THAN OWNER President  
 ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE Humberto de Bien DATE 2/24/04